

POLICY

It is the policy of the Michigan Department of Human Services Bureau of Juvenile Justice (BJJ) that escalations in the level of custody are court ordered. All de-escalations and transfers of youth between facilities/centers are approved and coordinated through the BJJ Juvenile Justice Assignment Unit (JJAU).

PURPOSE

This policy ensures that changes in placement of all youths are in compliance with legal and JJAU requirements.

DEFINITIONS

See JRG, JJ Residential Glossary.

**RESPONSIBLE
STAFF**

Designated in the facility standard operating procedure.

PROCEDURE

Each facility is required to develop and implement standard operating procedures (SOPs) relative to youth transfers, escalations, and de-escalations. At a minimum, these SOPs must contain the following requirements:

**Pre-
Transfer/Escalat
ion/De-
escalation
Activities**

All transfers and changes in the level of custody occur after consulting with the JJS, CMO worker, or probation officer. All changes in security level must be recorded in JJIS.

Excluding court ordered placements, medical and mental health screening must support the appropriateness of the projected placement.

The facility/center director or designee is responsible for notifying the JJAU when there is a:

- Reassignment of a youth to a different facility by court order.

- Reassignment of a youth from one facility to another facility (including transfers between Maxey campus centers).
- Release of a youth.
- Transfer of a youth.

**Transfers
between
Facilities which
involve an
Escalation or
De-Escalation in
Level of
Security**

The sending and receiving facility/center directors or designees ensures:

- The court of jurisdiction receives written notice.
- The court orders the transfer prior to the actual movement of the youth to a more secure facility.
- Parents or legal guardians are notified of the transfer prior to transferring the youth to the receiving facility.

If the committing court orders a youth placed in a particular facility, obtain court approval prior to moving the youth to another facility.

When the committing court orders a youth placed in any facility having a particular security level, obtain court approval prior to transferring the youth to a facility resulting in an escalation or de-escalation in security level.

If the committing court does not designate a particular facility and a transfer between facilities results in the same security level, such transfer can be approved by the sending and receiving facility/center directors or designees with subsequent notice to the court.

When a court order indicates that BJJ has the discretion to transfer, or change the security level of a youth, the sending facility/center director or designee provides notice to the court following a transfer resulting in an escalation in security level.

**Emergency
Transfers and/or
Escalations**

When court approval is required and the court cannot be contacted and an emergency circumstance requires immediate action, the transfer/escalation may be made with the approval of both the sending and receiving facility/center directors or designees.

The sending facility/center director or designee obtains subsequent court approval of the transfer/escalation.

**Escalation of
Youth Released
to the
Community**

A court order is needed to place a youth released from placement in a treatment facility. A released youth arrested on a new charge may be placed in a detention facility pending court action.

The treatment team and JJS, CMO worker or probation officer ensures at the release hearing that court orders reflect authorization of the use of short-term detention (up to seventy-two hours under prescribed circumstances).

AUTHORITY

Social Welfare Act, MCL 400.115

Transfer of Juveniles Between Institutions, MCL 720.602 et seq.

Michigan Court Rule, MCR 6.935